

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE COMPLAINT FILED</b>	)	<b>ORDER DISMISSING</b>
<b>BY VERN L. DOUVILLE, CHAMBERLAIN,</b>	)	<b>COMPLAINT AND CLOSING</b>
<b>SOUTH DAKOTA, AGAINST AMERICA'S TELE-</b>	)	<b>DOCKET</b>
<b>NETWORK CORP. AND ILD TELESERVICES,</b>	)	
<b>INC. REGARDING UNAUTHORIZED</b>	)	<b>CT00-108</b>
<b>SWITCHING OF SERVICES</b>	)	

On November 13, 2000, the Public Utilities Commission (Commission) received a complaint filed by Vern L. Douville, Chamberlain, South Dakota (Complainant), against America's Tele-Network Corp. (ATN) regarding unauthorized switching of services.

On November 13, 2000, the complaint was faxed to ATN. Pursuant to ARSD 20:10:01:09, ATN was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 4, 2000. On December 20, 2000, Complainant filed a request to add ILD Teleservices, Inc. (ILD) as a party. On January 4, 2001, the Commission granted Complainant's request to add ILD as a party. On January 24, 2001, ILD filed an Answer to Complaint, Motion to Dismiss and Cross-Claim. On February 5, 2001, ATN filed a letter response to this complaint. By order dated February 13, 2001, the Commission granted ILD's Motion to Dismiss. On February 15, 2001, Commission Staff was informed that settlement had been reached in this matter.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-89 through 49-31-97, inclusive, and ARSD Chapters 20:10:01 and 20:10:34.

On March 6, 2001, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 9th day of March, 2001.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

\_\_\_\_\_  
JAMES A. BURG, Chairman

\_\_\_\_\_  
PAM NELSON, Commissioner